

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(ECF)

- - - - -	:	
CHEVRON CORPORATION,	:	11 Civ. 3718 (LAK) (JCF)
	:	
Plaintiff,	:	MEMORANDUM
	:	<u>AND ORDER</u>
- against -	:	
	:	
MARIA AGUINDA SALAZAR, et al.,	:	
	:	
Defendants,	:	
	:	
- and -	:	
	:	
STEVEN DONZIGER, et al.,	:	
	:	
Intervenors.	:	
- - - - -	:	
JAMES C. FRANCIS IV		
UNITED STATES MAGISTRATE JUDGE		

Defendants Javier Piaguaje Payaguaje and Hugo Gerardo Camacho Naranjo have moved to compel plaintiff Chevron Corporation ("Chevron") to answer the defendants' interrogatories. As a result of discussions among counsel, the defendants have modified their interrogatories as set forth in the letter of Larry R. Veselka dated August 8, 2011, attached as Exhibit 5 to the defendants' motion. Accordingly, I will address each dispute as it relates to the modified interrogatories. In addition, my determinations are guided by the Memorandum Opinion of the Honorable Lewis A. Kaplan, U.S.D.J., dated August 17, 2011 (the "8/17/11 Op."), which defines the scope of certain claims and defenses. The outstanding disputes are resolved as follows:

1. Chevron shall answer modified interrogatory no. 1 for the period following January 1, 2003. Information concerning Chevron's conduct prior to that date is not relevant. (8/17/11 Op. at 23). On the other hand, Chevron has placed at issue the adequacy of the Ecuadorian judicial system, not merely its conduct of the Lago Agria litigation, and Chevron's experience with that system is therefore relevant.

2. Chevron shall answer modified interrogatory no. 2 for the period following January 1, 2003 for substantially the reasons set forth in paragraph 1 above.

3. Chevron's objections to modified interrogatory no. 3 are upheld. Jurisdictions other than Ecuador are not sufficiently germane to the issues in this case to warrant to burden and expense of discovery. See Fed. R. Civ. P. 26(b)(2)(C).

4. Chevron shall answer modified Interrogatory no. 4 for the period following January 1, 2003.

5. Chevron's objections to modified interrogatory no. 5 are upheld substantially for the reasons set forth in paragraph 3 above.

6. Chevron shall answer modified interrogatory no. 6.

7. Chevron shall answer modified interrogatory no. 7, limited to instances of substantive ex parte contacts, if any (i.e., contacts relating to scheduling matters and other logistical issues are excluded).

8. Chevron shall answer modified interrogatory no. 8, limited to investigations relating to potential violations of the Foreign Corrupt Practices Act in connection with the Lago Agria litigation.

9. Chevron shall answer modified interrogatory no. 9.

10. Chevron's objections to modified interrogatory no. 10 are upheld. The information requested, if relevant at all, goes to a legal issue that the parties may argue at the point where the scope of any injunction is being considered.

11. Chevron shall answer modified interrogatory no. 11.

12. Chevron's objections to modified interrogatory no. 12 are upheld, as the interrogatory is overbroad in the absence of any identification of the specific issues as to which the witnesses have knowledge.

13. Chevron shall answer modified interrogatory no. 13 for the period following January 1, 2003.

14. Chevron's objections to modified interrogatory no. 14 are upheld, as this interrogatory is overbroad in that it would require identification of every vendor who supplied any product or service connected in any way with the litigation and related events.

15. Chevron shall answer modified interrogatory no. 15.

16. Chevron shall answer modified interrogatory no. 16.

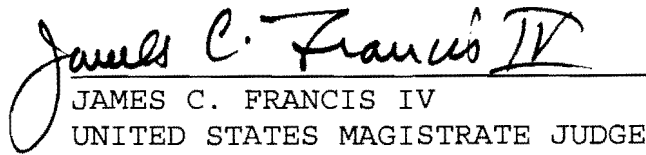
17. Chevron shall answer modified interrogatory no. 17.

18. Chevron shall answer modified interrogatory no. 18.

19. Chevron shall answer modified interrogatory no. 19.

To the extent Chevron is required by this order to answer interrogatories, it shall do so by August 25, 2011. This order resolves Docket no. 195.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
August 19, 2011

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